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DATE FILED: 7/23/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUYTON THEATRE COMPANY, INC. d/b/a PALM SENIOR:
INVESTORS, LLC

08 Civ. 4319 (JES)

[PROPOSED] SCHEDULING
ORDER

CARBON CAPITAL II, L.P.

Plaintiff,
vs.
Defendant.

-----X
The parties have conferred, and have agreed to the following Scheduling Order
concerning Carbon Capital II's ("Carbon II") request to file a motion to dismiss (the
"Motion") filed against Palm Senior Investors, LLC ("RPSI"), subject to the Court's
approval, as follows:

Carbon II shall file its Motion no later than July 18, 2008.

RPSI shall file its opposition to Carbon II's Motion no later than August 1, 2008.

Carbon II's Motion shall be heard on the 1 day of October
2008 at 3:00 p.m. 08

Dated: July 22
2008

For John E. Sprizzo
Hon. John E. Sprizzo
United States District Court for the Southern
District of New York